



# Town of Emmitsburg

Mayor Donald N. Briggs

**Board of Commissioners**  
Timothy O'Donnell, *President*  
Clifford Sweeney, *Vice President*  
Glenn Blanchard, *Treasurer*  
Joseph Ritz III  
Elizabeth Buckman

**Town Manager**  
Cathy Willets

**Town Clerk**  
Madeline Shaw

## **TOWN MEETING AGENDA** **October 2, 2017 – 7:30 p.m.**

### **1. CALL TO ORDER**

### **2. PLEDGE OF ALLEGIANCE**

### **3. FUTURE MEETINGS**

*Town Council Meeting: November 6th @ 7:30 p.m.*

*Public Hearing on NLC Service Line Warranty Program: October 16<sup>th</sup> @ 7:30 p.m.*

*Citizen's Advisory Committee Meeting: October 17<sup>th</sup> @ 7:30 p.m.*

*Quarterly Planning Commission Meeting: October 30<sup>th</sup> @ 7:30 p.m.*

### **4. MEETING ITEMS**

#### **A. APPROVE MINUTES: SEPTEMBER 5, 2017**

#### **B. POLICE REPORT**

#### **C. TOWN MANAGER'S REPORT**

#### **D. TOWN PLANNER'S REPORT**

#### **E. COMMISSIONER COMMENTS**

#### **F. MAYOR COMMENTS**

#### **G. PUBLIC COMMENTS**

#### **H. ADMINISTRATIVE BUSINESS (DETAILS ATTACHED)**

I. Consideration of a Fund Regarding Accrued Leave at Separation of Employment.

#### **I. CONSENT AGENDA: 1 REAPPOINTMENT**

#### **J. TREASURER'S REPORT**

#### **K. PLANNING COMMISSION REPORT**

#### **L. AGENDA ITEMS (DETAILS ATTACHED)**

I. Swearing in of Mayor and Commissioner.

II. Reorganization of the Board of Commissioners.

III. Updates on community related projects such as the SHA sidewalk, Flat Run Bridge, square project, dog park, etc.

IV. New Route 140 Bridge at Flat Run dedication requested in the name of Terry L. Myers

#### **M. SET AGENDA FOR NEXT MEETING: NOVEMBER 6, 2017**

### **5. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**

### **6. ADJOURN**

**A. APPROVE MINUTES: SEPTEMBER 5, 2017**

**MINUTES  
TOWN MEETING  
September 5, 2017  
Emmitsburg Town Office**

**Present:** Mayor Donald Briggs; Commissioners: Glenn Blanchard, Elizabeth Buckman, Joseph Ritz III, Clifford Sweeney, and Tim O'Donnell, President. *Staff Present:* Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; and Susan Cipperly, Town Planner. *Others Present:* Deputy Ted Mostoller.

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the September 5, 2017 Town Meeting to order at 7:30 p.m. EST. Pledge of Allegiance was recited. Upcoming meetings were reviewed.

**Approval of Minutes**

The Minutes of the August 7, 2017 Town Meeting were approved as modified. Motion by Commissioner Buckman, second by Commissioner Ritz III. Passed 3-0 in Favor. Commissioner Blanchard and Sweeney absent.

**Note:** Commissioner Sweeney arrived at 7:36 p.m. Commissioner Blanchard at 7:38 p.m.

**Police Report:**

Deputy Ted Mostoller presented the police report from August 2017 (exhibit attached). Deputy Mostoller mentioned four of the seven disorderly conducts were Mount St. Mary's (MSM) students. The deputies also assisted fireboard twice and other police departments twice. One of the traffic arrests was a juvenile. Deputy Mostoller stated the Town's first National Night Out was held August 1<sup>st</sup>. Since another school year is starting, Deputy Mostoller reminded residents to look for children crossing the streets, obey speed limit signs, and to be respectful of school buses. He also encouraged residents to lock their vehicles, keep valuables out of sight, and close garage doors at night. Commissioner Ritz III asked if there was any follow-up from MSM security regarding the students disorderly conduct. Deputy Mostoller explained MSM is very cooperative. The students' names were given to the school, and the school has authority to take administrative action because the school has an off-campus housing code of conduct policy for students. Commissioner O'Donnell asked if any of the collisions were related to the construction traffic. Deputy Mostoller responded they were not, and he encouraged residents to be patient with the construction traffic.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from July 2017 (exhibit attached). Ms. Willets mentioned staff put a new street light on Reeney Circle, and the contractor knocked over another street light and hit another service line, which are repaired now. She added staff continues to re-mark the 10" water line for the Flat Run Bridge Project, which is currently a point of tension as the contractor is requesting to move the 10" line even though the town specifically stated the town would not be responsible for moving the water line before the project started. If the Town has to move the water line, it could cost the Town \$19,000. Commissioner Ritz III asked if there would be a delay in project completion. Ms. Willets clarified there could be, but it would be a result of the contractors hiring for work. In regards to parks, Ms. Willets explained the dog park fence request for proposal (RFP) has been collected. The cable fence in Community Park has been replaced with a board fence for safety reasons. Ms. Willets added Rainbow Lake is at spillway level and the wells are eight feet below their optimal level in 2011. The Town's annual leak detection specialist found a significant leak that was losing about 3 million gallons of water a quarter and a few minor leaks. 7.95 inches of precipitation were received in July resulting in a surplus of 1.96 inches over the last six months. Approximately 42.2% of water treated in July was wild water. There were no spills of untreated sewerage. The waste water treatment plant exceeded its capacity once during July 2017. The LG Sonic Algae Control system is being adjusted for new blue algae that is blooming. Ms. Willets explained the lack of signal for a month prevented the system from reaching its optimal level this year.

**Town Planners Report:**

Susan Cipperly, Town Planner, presented the Town Planner's Report from July 2017 (exhibit attached). Ms. Cipperly mentioned the State Highway Administration (SHA) sidewalk project has been taking up much of her time. She takes residents' complaints and forwards them onto SHA, and sometimes the complaints result in a re-design that involves her. The Sustainable Communities program needs to be recertified every 5 years; the application has been submitted and is being reviewed by DHCD. She also explained the Emmit Gardens Playground application is underway. Ms. Cipperly mentioned she has included which projects she will be working on between now and the October 2<sup>nd</sup> Town Meeting so they Board could be aware. One of the future projects is composing the Geographical Information System (GIS) database with the knowledge of public works staff. Also, the fiscal year 2018 Community Legacy funding application is due in November. She stated there are several enforcement violations that need to be reviewed, and she would also like to update several ordinances to reflect newer policies. Commissioner Ritz III asked for information on the Emmit Gardens playground. Ms. Willets explained Ms. Cipperly has been "jumping through hoops" and trying to determine how to complete the application for FEMA; the goal is to have the playground built early spring and the FEMA application completed by the end of September 2017. Commissioner Ritz III inquired about having the pine trees near the proposed playground site in Emmit Gardens removed. Town staff will look into specifics on tree removal once the FEMA application is submitted.

**Commissioner Comments:**

- Commissioner Buckman: She explained she has witnessed a number of accidents at the intersection of Lincoln Avenue/South Seton, and she asked if a right-turn only lane could be installed on Lincoln Avenue for entering onto South Seton. The Board discussed the possibility and mentioned the matter had been discussed in years prior. The Board requested the Citizens Advisory Committee (CAC) research the matter and bring a recommendation to the Board. Commissioner Buckman added the CAC has recommendations to move public comment first in the Town agenda to encourage more public comment. The CAC also recommends making the wording politer in code enforcement letters and putting charitable organizations contact information on the letter for anyone who needs assistance. There was discussion over the legal basis of the letters and putting non-town organizations on a town letter. Town staff suggested providing a copy of the code enforcement letters to the CAC for outreach, but suggested residents may not want others knowing their personal information. Ms. Cipperly added its very rare residents call stating they can't afford to comply. Commissioner Buckman will discuss with the CAC.
- Commissioner Ritz III: Reminded residents to vote in the election on Tuesday September 26<sup>th</sup> 2017.
- Commissioner Sweeney: None.
- Commissioner Blanchard: He encouraged residents to spread the word about the September Food Bank food-drop.
- Commissioner O'Donnell: He reminded residents that hunting season is starting, so the multi-user trails will be open on Sundays only. Also, a promotional video set is being completed on the trails and town. He thanked Commissioner Ritz III for his service on the Board of Commissioners and wished him luck in the upcoming election. He concluded by encouraging residents to vote on September 26<sup>th</sup>.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in August 2017. He started by wishing Madeline Shaw and Tyler Shaw a happy wedding anniversary. He thanked Pastor John Talcott for hosting the Narcotics Anonymous meeting every Monday at Christ Community Church. Mayor Briggs explained he met with Joe Lebherz over a few concerns the Town has been having regarding students living off campus. He also met with Roger Wilson regarding adding an afternoon TransIt bus ride to the northern part of Frederick County. Mayor Briggs also met with Frank Davis in regards to the fire hall and impact the SHA projects might have on it, and Bob Brennan, Vice President of Mount St. Mary's, on having safety regulations for off campus housing (e.g. mold testing, radon testing, etc.). He has been working with Commissioner Buckman on getting a Boys and Girls Club in the northern part of Frederick County, but \$95,000 funding is needed. He congratulated Thurmont Little League, which features five Emmitsburg players, on making it so far in playoffs. He also informed the Town that the National Fallen Fire Fighters event will occur October 7<sup>th</sup> – 9<sup>th</sup>.

**Public Comments:**

*Jennifer Joy, 4035 Carrick Court-* Ms. Joy introduced herself as a commissioner candidate for the September 2017 elections. She explained she has lived in Emmitsburg, Maryland for 14 years, and she has a background in public affairs. She reviewed her work experience and her volunteer work in the Town. If elected, she would like to continue building the Town, getting residents involved, opening lines of communication, and providing local community activities among other items.

**Administrative Business:**

- Vigilant Hose Company Request for May 2018 Road Closure: Frank Davis, President of the Vigilant Hose Company presented the request for a May 2018 road closure. Mr. Davis explained the Vigilant Hose Fire Company has decided to hold the annual spring fling on May 19, 2018 within the town limits (instead of at MSM) in hopes of attracting more people. He explained the event can draw as many as 2,000 people, so for safety reasons Vigilant Hose would like to close Creamery Road from the entrance of Quality Tire to Creamery Way between 10:00 a.m. and 6:00 p.m. Ms. Willets added town staff does not see a problem with the request, and town staff did check with SHA, who recommended completing a special event permit and putting a sign board on Route 15 so the public knows to use an alternate route. Safety wise, Town staff recommends putting the sign board on Route 15 because it would keep people from taking the highway exit then having to turn around. Commissioner Ritz III asked about the Mother Seton Carnival, which would set-up the day after the spring fling. No Board members stated any other concerns.

*Motion:* To allow for the closing of Creamery Road as described by the Vigilant Hose Company on May 19, 2018.  
Motion by Commissioner Sweeney, second by Commissioner Ritz III. Vote: 5-0 in Favor.

*Note:* Agenda rearranged in courtesy of Amanda Haddaway, Human Resource (HR) Contractor for the Town.

**Agenda Items**

Agenda #3- Updates to the Employee Handbook for Consideration: Amanda Haddaway, HR Answer Box, explained the town's employee handbook was revised to be in compliance with Human Resource Law and to improve best practice policies. Ms. Willets added there was a few items added, legal changes, and format changes. Commissioner O'Donnell asked Ms. Willets if town staff was comfortable with the changes. Ms. Willets confirmed she was. Ms. Haddaway reviewed the change document that specifies the revisions in the September 5, 2017 agenda packet. Ms. Haddaway explained the footer of the document was changed to specify the employment was at-will and the document is not a contract for employment. She also changed any references to human resource to the Town Manager because initial concerns would be directed to the Town Manager as there is no full-time HR staff member. Ms. Haddaway reviewed the other changes stating the legal protection and law compliance the changes supported. She concluded by mentioning the handbook was in pretty good shape and the changes were pretty minor compared to other handbooks she has reviewed. The Board had no further discussion.

*Motion:* To accept the modifications to the Emmitsburg Town Employee Handbook as presented.  
Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: 5-0 in Favor.

**Administrative Business Continued:**

- Proclamation: September National Substance Abuse Prevention Month: Mayor Briggs requested Commissioner O'Donnell read the proclamation making September 2017 National Substance Abuse Prevention Month. Commissioner O'Donnell read the proclamation.

*Motion:* To endorse this proclamation.  
Motion by Commissioner Blanchard, second by Commissioner Sweeney. Vote: 5-0 in Favor.

- Approval of 2017 Chevrolet Silverado: Ms. Willets informed the Board that the truck needing replacement is a 2003 GMC Sonoma with 110,000 miles. She explained town staff contacted four dealerships to get pricing, but only two uniform bids were received back as the other two organizations would not provide detailed bids. She specified the new truck would be a 2017 Chevrolet Silverado 2500HD 4WD Regular Cab 133.6" work truck with a plow package. The two pricings were \$48,633.00 from Criswell Chevrolet of

Thurmont, and \$46,996.82 from Wantz Chevrolet. She explained staff recommends purchasing the truck from Wantz Chevrolet Inc. because the price is the best and the Town receives favorable customer service from the company. Commissioner Ritz III asked about the budget. Ms. Willets responded the vehicle would be a cash item that is depreciated over 10 years, and there was no specific line item in the budget for it because the enterprise fund is used to purchase the truck. There was no more Board discussion.

*Motion:* To replace the 2003 GMC Sonoma with the 2017 Chevrolet Silverado from Wantz Chevrolet.  
Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: 5-0 in Favor.

**Consent Agenda:**

Ms. Willets stated Dwight Baumgardner, with the Parks and Recreation Committee, and Brandy Malocha, with the Citizen's Advisory Committee, are resigning from their respective positions. In regards to re-appointments, Commissioner Ritz III informed the Board that the six individuals on the Parks and Recreation Committee were appointed two years ago and therefore need to be reappointed as their term has expired. The six individuals are David Maze, Shannon Cool, Cynthia Canadas, Matt Myers, Jen Myers, and TJ Burns. The term is two years, 09/21/2017 to 09/21/2019. The Board accepted the resignation of the two individuals.

*Motion:* To re-appointment the six individuals to serve on the Parks and Recreation Committee.  
Motion by Commissioner Blanchard, second by Commissioner Sweeney. Vote: 5-0 in Favor.

**Treasurer's Report:**

Commissioner Blanchard presented the Treasure's Report for August 2017 (exhibit attached). Commissioner Blanchard mentioned the operating balance going forward is \$5,372,993.

**Planning Commission Report:**

None as there was no meeting.

**II. Agenda Items Continued**

Agenda #1- Ordinances to Amend Title 13 Public Services for Consideration: Ms. Willets summarized the proposed ordinances that she reviewed in detail in the August 7, 2017 Town Meeting. The Board determined to vote on the ordinances after Ms. Willets summary. Ms. Willets reminded the Board the changes are intended to provide consistency, protect residents/town staff, and create clear guidelines. She also mentioned the ordinances were all reviewed by the Town Attorney, John Clapp. Policy 2017-03 creates consistency across the Town on what portion of the service lines are the responsibility of the property owner and the Town. Commissioner O'Donnell asked for clarification on P17-03 in regards to clogs. Ms. Willets clarified clogs on the town's responsibility side will be fixed by the Town unless the clog is determined to be a result of the property owner's neglect or misuse such as flushing diapers down the toilet, dumping grease down the sink, etc. Commissioner Ritz III asked if historically the problems with water meters is freezing, which Ms. Willets confirmed.

*Motion:* To accept Ordinance 17-05 as modified.  
Motion by Commissioner Buckman, second by Commissioner Sweeney. Vote: 5-0 in Favor.

*Motion:* To accept Ordinance 17-06 as modified.  
Motion by Commissioner Sweeney, second by Commissioner Blanchard. Vote: 5-0 in Favor.

*Motion:* To accept Ordinance 17-07 as modified.  
Motion by Commissioner Sweeney, second by Commissioner Buckman. Vote: 5-0 in Favor.

*Motion:* To accept Policy P17-03 as presented.  
Motion by Commissioner Buckman, second by Commissioner Sweeney. Vote: 5-0 in Favor.

Commissioner Ritz III asked for clarification on the next steps with the approved policy and ordinances. Ms. Willets explained the changes will be highlighted in the next water bill that is mailed at the end of September 2017.

Agenda #2- Consideration and Public Hearing Regarding Text Amendments Related to Place of Worship as a Use in Various Sections of the Zoning Ordinance: Susan Cipperly, Town Planner, reviewed the proposed amendments and history of how the amendments came into question. She reviewed the federal laws, focusing on the Religious Land Use and Institutionalized Persons Act of 2000, which protects religious institutions from discrimination in the zoning codes where theaters/meeting halls for large secular assemblies of people are allowed. Ms. Cipperly reviewed two zoning maps showing where places of worship are currently allowed and the current B2 commercial zone. She then reviewed the summary of changes that are being considered in the proposed ordinances, which are specified on page 30 of the September 5, 2017 Town Meeting Agenda. Some of the changes include changing the definition of place of worship, replacing "church" with "place of worship," modifying uses permitted in the residential zones and village zone.

**Note:** 5-minute recess was called by Commissioner O'Donnell at 9:33 p.m.

Commissioner O'Donnell mentioned procedurally the meeting needs to be temporarily closed to be moved to the public hearing phase. He explained he did not want to get too far into the content, which is why he called a brief recess.

*Motion:* To temporarily close the Town Meeting.

Motion by Commissioner Sweeney, second by Commissioner Blanchard. Vote: 5-0 in Favor.

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**Public Hearing:**

Ms. Cipperly continued explaining the modification of the ordinances and reviewing a summary of each proposed ordinance and the changes featured within. Commissioner O'Donnell invited public input. Pastor John Talcott, Christ Community Church, mentioned he initiated the modification because he believes churches should not be discriminated against in the zoning code. Commissioner Buckman asked why the language was changed from church to place of worship. Town staff clarified there cannot be any religious discrimination in the Town Municipal Code per federal law. Commissioner Ritz III inquired why place of worship is not mentioned in the R-1, R-2, or R-3 districts anymore. Ms. Cipperly explained the Planning Commission recommended the language be omitted because allowing places of worship, theaters, and auditoriums in the residential areas could cause traffic problems among other problems where residents live. There was discussion over spot zoning and procedures in regards to spot zoning. There was discussion over growing the Town's city-center. Commissioner Buckman encouraged the Town to be growth minded. Ms. Cipperly reminded the Board that walk-ability is more prominent for a place of worship in Town rather than in a residential district. Commissioner Buckman inquired if the zoning changes align with the Town's future plans. Ms. Cipperly clarified it does and recommended the Board re-look at the Comprehensive Plan.

*Motion:* To accept Ordinance 17-08 with modifications as presented.

Motion by Commissioner Ritz III, second by Commissioner Buckman. Vote: 5-0 in Favor.

*Motion:* To accept Ordinance 17-09 as modified.

Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: 5-0 in Favor.

*Motion:* To accept Ordinance 17-10 as modified.

Motion by Commissioner Sweeney, second by Commissioner Buckman. Vote: 5-0 in Favor.

*Motion:* To accept Ordinance 17-11 as amended.

Motion by Commissioner Blanchard, second by Commissioner Sweeney. Vote: 3-2 in Favor.  
Commissioner O'Donnell, Sweeney, and Blanchard in Favor. Commissioner Buckman and Ritz III against.

*Motion:* To accept Ordinance 17-12 as modified.

Motion by Commissioner Sweeney, second by Commissioner Buckman. Vote: 5-0 in Favor.

*Motion:* To accept Ordinance 17-13 as modified.

Motion by Commissioner Buckman, second by Commissioner Ritz III. Vote: 5-0 in Favor.

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Agenda #4- Town Storm Water Management As Related to Update on MS-4 Permit: Cathy Willets, Town Manager, introduced the Town's storm water management as related to the update on the MS-4 permit. She explained Maryland Department of the Environment (MDE) is requiring compliance. Susan Cipperly, Town Planner, further explained the permit is called Municipal Separate Storm Sewer Systems (or MS-4), and it creates guidelines for municipalities that connect to the Chesapeake Bay. The permit is a point system, and points can be earned by completing actions such as teaching the public about storm water, planting trees, street sweeping, managing construction storm water run-off, etc. She explained the Town of Bowie has recently received a hefty fee for not being in compliance with the MS-4 permit. MDE has also mandated that all municipalities need to reduce the amount of impervious surfaces by using gravel surfaces or completing a stream restoration. Ms. Cipperly explained some of the actions align with the Green Team, and town staff will be required to receive training. Commissioner O'Donnell asked if there was a hard deadline. Ms. Willets explained there is not at the moment, but progress needs to be made by December 2017. The Town is not responsible for SHA streets. The Board requested an update in November 2017.

**Set Agenda Items for October 2, 2017 Town Meeting**

1. Swearing in of Mayor and Commissioner.
2. Updates on community related projects such as the SHA sidewalk, Flat Run Bridge, square project, dog park, etc.
3. New Route 140 Bridge at Flat Run dedication requested in the name of Terry L. Myers.

The Board discussed the desire to be more specific with agenda items in hopes of getting more public members to attend meetings and understand what is going to be reviewed at the next town meeting. There was unanimous consent for the October 2<sup>nd</sup> Town Meeting agenda. The Board will hold a public hearing for the National League of Cities Service Line Warranty Program on October 16<sup>th</sup> 2017.

**III. Sign Approved Text Amendments and/or Resolutions**

**IV. Adjournment**

With no further business, the September 5, 2017 Town Meeting was adjourned at 10:32 p.m. EST.  
Motion to close the meeting by Commissioner Sweeney, second by Commissioner Ritz III. Vote: 5-0 in Favor.

Respectfully submitted,

Madeline Shaw  
Town Clerk

Approved:

*Draft*

**B. POLICE REPORT:** Presentation by deputies at the meeting.

## C. TOWN MANAGER'S REPORT

**Town Manager's Report  
AUGUST 2017  
Prepared by Cathy Willets**

### Streets:

- Staff dug out a section of millings along East Lincoln Ave. walkway and put cold patch down.
- Staff repaired some leaning street signs around Town.
- Staff weed ate weeds in curbs, sidewalks, & tree wells on East Main Street.
- Staff conducted a maintenance check on street lights in all developments.
- Staff took down #71 street light in front of 513 West Main St. The fixture was broke off and leaning.
- Staff tightened fixture to #51 street light in front of 200 West Main St. The fixture was loose and leaning.

### Sidewalk and Bridge Project:

- Staff dug up and installed some new curb boxes on West Main St.
- Staff marked utilities as needed on Main St.

### Parks:

- Staff mowed, trimmed, weed killed in parks.
- Staff weed killed, rotor tilled, and drug grass off of ball-field #1 in Community park.
- Staff weed killed and drug grass off of all ball-fields
- Staff cut up large tree limb that fell in Memorial Park.
- Staff weed ate, push mowed, and weed killed some areas inside of pool.
- Staff took out some old post and cable. Staff continued work on installing new board fence along Community park road.

### Water:

- Rainbow Lake is .1" below the spillway level (normal is 16.6 feet).
- The roughing filters are being backwashed four times a day and the DE filters are being done once per week.
- Our wells are now on average 7.25' below their May 2011 levels.
- Water production and consumption. We produced an average of 308,465 GPD. We consumed an average of 268,616 GPD. The difference is "Backwash Water" ... (16.70%).
  - 45.7% of this water came from wells.
  - 4.7% of this water came from Mt. St. Mary's.
  - 54.2% of this water came from Rainbow Lake.

We purchased 434,500 gallons of water from MSM this month.

### Wastewater:

- We received about 5.40" of precipitation this month (the average is 3.39").
  - We have a precipitation **SURPLUS** of 4.79" over the last six months. The average precipitation for the period from March 1 through August 31 is 24.96". We have received 29.75" for that period.

- Wastewater Treatment:
  - We treated an average of 472,000 GPD (consumed 268,616 GPD) which means that 43.1% of the wastewater treated this month was "wild water".
  - We had no spills of untreated sewerage in the month of August.

**Trash:** Trash pickup will remain Mondays for the remainder of the month of October.

**Meetings Attended:**

- 08/01 Met with Mayor
- 08/04 Staff meeting
- 08/07 Attended Town Meeting
- 08/07 Met with resident regarding home business
- 08/08 Attended meeting with water and sewer staff
- 08/08 Attended SHA meeting regarding updates on bridge and sidewalk
- 08/09 Attended meeting with staff to review Final FY17 budget
- 08/10 Attended MS-4 permit/impervious surface meeting with Town Planner in Frederick
- 08/10 Attended support staff meeting
- 08/15 Attended department head meeting
- 08/16 Met with Mayor
- 08/17 Attended meeting with water department and water meter representative re: water usage audit
- 08/17 Met with Town Planner to review dog park fence proposals
- 08/21-25 Out of office vacation
- 08/28 Met with Public Works Dir and Water/Sewer Supt. to go over bridge project and impact on town waterline
- 08/29 Met with staff and engineer to go over bridge project and town waterline
- 08/30 Attended semi-annual gym reservation meeting
- 08/30 Attended staff meeting to go over new proposed employee handbook
- 08/31 Attended meeting with SHA, Milani construction, staff and engineer to go over the bridge project and impact on town waterline



**Fluid Pinpointing Services, Inc.**  
Water Leak Detection / Utility Locating

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September 7, 2017

Town of Emmitsburg  
300A South Seton Avenue  
Emmitsburg, MD 21727

Attn: Dan Fissel

***Re: 2017 Water Leak Detection Survey***

Dear Mr. Fissel,

Fluid Pinpointing Services, Inc. conducted a system wide leak detection survey for the Town of Emmitsburg, MD, on approximately 75 miles of existing domestic water lines. The survey pinpointed 4 - leaks at approximately 54,720 total gallons per day. The survey took place on May 22 and 26, July 2 and August 23. This is the first leak survey that I have conducted for the town, if further surveys are approved I am estimating a 2 day leak survey if leaks are not present. The goal for any water distribution system is to reduce water loss and by conducting a water leak detection survey annually the town saves money by reducing pump times, electricity, chemicals, man hours in overtime by not repairing leaks after working hours and of course saving millions of gallons of water.

Recommendations -- Conduct a water leak detection system survey annually, this will keep the system tight. If the budget approves 2 xs per year, spring and fall.

If you have any questions, please contact me.  
Sincerely,

Gregory J. Klimovsky  
President



**Fluid Pinpointing Services, Inc.**  
Water Leak Detection / Utility Locating

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**FINAL SUMMARY OF SURVEY AND PINPOINTING REPORT**

Client: Town of Emmitsburg

Date: 8/23/17

Period Covered: May 22 and 26, July 2, August 23

**SURVEY DATA:**

Distance Surveyed in Miles: Approximately 75

**PINPOINTING DATA:**

Leak Type:	Number of Leaks:	Total Estimated (GPM):	Total Estimated (GPD):
Main Line	1	25	36,000
Valve	1	1	1,440
Hydrant	1	2	2,880
Meter			
Service / House Side	1	10	14,400
Service / Street Side			
Other			
<b>Totals:</b>	<b>4</b>	<b>38</b>	<b>54,720</b>

**PARKING ENFORCEMENT REPORT  
AUGUST 2017**

Overtime Parking	65
Restricted Parking Zone	
Parked in Crosswalk	
Parked on Sidewalk	
Parked Blocking Road	
Parked by Fire Hydrant	
Parked on Highway	
Failure to Park between Lines	
Other Violation	
Left Side Parking	1
Meter Money	\$841.62
Parking Permits	\$230.00
Meter Bag Rental	\$4.00
Parking Ticket Money	\$205.00
Funerals	1
<b>Total:</b>	<b>\$1,280.62</b>

## D. TOWN PLANNER'S REPORT

**Town Planner's Report**  
**August 2017**  
**Prepared by Susan H. Cipperly, AICP**

1. **Flat Run Bridge:** Coordinated with State Highway Administration (SHA) re meetings, questions. Met with contractors, town staff, SHA for progress meetings. Provided info for Ch. 99, website, etc., as needed.
2. **Sidewalk Project:** Met with town staff, SHA, and contractors in Emmitsburg as needed. with Fielded questions/complaints from residents along the work route and forwarded them to SHA project manager. Took photographs for website and posterity. Provide info to parking enforcement and office manager regarding areas that would need to be designated No Parking. Sent e-mails to business community as needed.
3. **MS-4 Permit meeting: August 10 --** Attended meeting in Frederick with C. Willets on new requirements for Municipal Separate Storm Sewer System (*MS4*) permit program.
4. **Community Legacy:** Submitted July Quarterly Reports for FY2017: Project 00303, Facade & Restoration program; and Project 00416 Square Rehabilitation.

Processed grant agreement for Vigilant Hose Company to replace part of roof and paint trim on building at 25 W. Main.

5. **Sustainable Communities program:** Provided additional information to DHCD regarding 5-year renewal application (results by mid-November.)
6. **Dog Park --** Provided info to potential responders to RFP. Received and reviewed bids for dog park fencing project. Met with C. Willets on Sept. 12 to award contract.
7. Grease Interceptor reports due July 10 were all received as of August 11, 2017.
8. Enforcement -- letters regarding several and various activity without permits. Notification and interaction with Frederick County permit office on several issues. Required removal of rooster from Irishtown Court in response to inquiry from neighbor. (Only hens allowed).
9. **Permits:**  
Seton Center for 226 Lincoln Ave., new building. Follow-up on stormwater easement and performance guarantee with applicant and town attorney, plus reviewed plans to determine water/sewer capacity fees based on fixture count.

Provided info and issued permits for shed, signage, fences, swimming pool, decks, etc., as well as responded to business inquiries.

10. Researched business address/phone/email with A. Naill, in response to request from Frederick County Economic Development.
11. Provided info re ordinance revision to C. Willets for inclusion in Town Meeting packet. Prepared and submitted public hearing advertisements to Frederick News Post re zoning ordinance changes.

**Upcoming projects/activity as of September 18, 2017 - Planning and Zoning:**

**GIS** Water/sewer mapping with ALWI consultants per contract, followed by input of data.

**MS-4** (Municipal Separate Storm Sewer System) permit report for 2016 and 2017 completed before December 2017. Next phase of MS-4 involves development of projects that will give the town credits toward reducing the impacts of impervious surfaces relative to stormwater runoff, pollution, groundwater recharge. This is a major project. Attending stormwater/floodplain conference Oct. 12 in Linthicum, MD.

**Community Legacy:**

- Application for FY2018 grant money for Facade/restoration and other potential project areas - November due date.
- October 1 Quarterly reports for FY2016 and FY2017 Facade program and Square program.
- Processing for newly approved facade projects and new applications.

**Emmit Gardens** playground MDE and FEMA applications.

**Planning Commission:** Review and develop comments for record plat affecting lot on Park Drive, Emmit Gardens -- September 25 PC agenda.

**Board of Appeals:** Contact new alternate regarding training requirements and arrange BOA meeting to undertake reorganization, since there have been new members appointed.

**Enforcement:** There are several enforcement issues that have been backlogged due to other activity taking precedence. Need to follow up with property owners and Frederick County regarding violations.

**Ordinance amendments and revisions:** There are topics that have arisen that indicate a need to update sections of the ordinance to reflect newer practices and uses, and to assure that the ordinance meets current legal standards relative to items such as sign regulation, short-term rentals, etc.

**Emmit Gardens trees:** Continue communicating with Potomac Edison regarding one dead White Pine tree located between the utility lines and Flat Run, on town land, to see whether PE would remove it.

**E. COMMISSIONER COMMENTS**

**F. MAYOR'S COMMENTS**

**G. PUBLIC COMMENTS**

## H. ADMINISTRATIVE BUSINESS

### I. Consideration of a Fund Regarding Accrued Leave at Separation of Employment:

Presentation by town staff at meeting.

#### *Accrued Leave*

At the end of each fiscal year, the Town calculates the accrued leave amounts for all current employees by taking accrued vacation, personal, and sick hours that would need to be paid out in the case(s) an employee(s) would separate from Town employment.

Employees with accrued leave amounts with home departments in Water (Fund 4) and Sewer (Fund 5) are recognized by journal entry in Fund 4 & 5 by increasing the accrued leave liability on the balance sheet along with booking the vacation expense on the income statement. Auditing standards dictate this journal entry for Enterprise Fund accounts each year.

Employees with accrued leave amounts with home departments in the General (Fund 1) are not recognized in the same manner although such payouts would also occur in the case(s) the employee(s) would separate from Town employment. Auditing standards dictate that a journal entry not be made for Governmental Fund accounts.

The leave amount in the General (Fund 1) as of 06.30.17 was \$128,320. Town staff recommends we begin to designate amounts each year in the Capital (Fund 2) to cover future leave payments when employees leave Town Employment. This can be accomplished with a budget transfer from General (Fund 1) to Capital (Fund 2). We recommend an initial transfer of \$32,000 which represents 25% of the current leave balance.

**J. CONSENT AGENDA**

**I. Board of Appeals (3-year term)**

Re-appointment of Richard Kapriva to the Board of Appeals.

*Term: 10/17/2017 to 10/17/2020*

**K. TREASURER’S REPORT**

**Town of Emmitsburg  
 CASH ACTIVITY as of September 26, 2017**

\$5,313,250	Cash Balance September 1, 2017
180,295	Deposits
<u>-208,067</u>	Withdrawals
\$5,285,478	Operating Balance Forward

<u>Check Amount</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Date</u>	<u>Check Number</u>
\$57,214	Treasurer of Frederick County	FY17 4Q Law Enforcement Services	09.19.17	37488
24,500	Make N Waves	Installation of LED Pool Lights	09.13.17	37461
20,561	MD Dept of Budget & Mgmt	Aug 17 Health Insurance	08.30.17	37387
7,585	Fluid Pinpointing Services	Water Leak Detection Services	09.13.17	37456
7,017	Kershner Environmental Tech	Gas Control Valve	09.06.17	37435
5,875	Republic Services	Sep 17 Refuse Services	09.13.17	37448
5,030	HD Supply Waterworks	E-Coder	08.30.17	37385
4,804	Frederick County DUSWM	Aug 17 Tipping Fees	09.06.17	37430
4,225	Alam B. Roofing	Creamery Road Roofing Project	09.19.17	37479
3,310	Catoctin Labs	Chemicals	09.19.17	37482

*Ck dates 08.29.17 to 09.26.17*

**L. PLANNING COMMISSION REPORT:** Presentation at the meeting.

**M. AGENDA ITEMS:**

- I. Swearing in of Mayor and Commissioner:** Swearing in at meeting. The winning Mayor will be sworn in by Sandra Dalton, Clerk of Circuit Court, Frederick County. The winning Commissioner will be sworn in by the winning Mayor.

**AGENDA ITEMS CONTINUED:**

- II. Reorganization of the Board of Commissioners:** Presentation by Mayor Briggs at Town Meeting.

**AGENDA ITEMS CONTINUED:**

- III. Updates on community related projects such as the SHA sidewalk, Flat Run Bridge, square project, dog park, etc.:** Presentation at meeting by town staff.

Projects to be reviewed:

1. Emmit Garden Playground
2. Route 140 Square Revitalization/Sidewalk Project
3. Route 140 Flat Run Bridge Project
4. Community Park Swimming Pool
5. Community Park Dog Park

**AGENDA ITEMS CONTINUED:**

- IV. New Route 140 Bridge at Flat Run dedication requested in the name of Terry L. Myers:** Presentation at meeting by town staff.

**REQUEST FOR PROPOSED MEMORIAL DEDICATION  
APPLICATION**

**Facility for which dedication is requested:** Route 140 Flat Run Bridge

**Location of facility:** Route 140 in Emmitsburg, Maryland

**Requested Dedication:** Terry L. Myers

**Justification:** Terry L. Myers was a member of the Vigilant Hose Company. He died in the line of duty on February 15<sup>th</sup> 1999. He was the first Vigilant Hose Company member to die in the line of duty.

**Relevance and significance for Maryland citizens:** Historical importance to Emmitsburg. Also, Emmitsburg houses the National Emergency Training Center, thus many fire fighters come to Emmitsburg. We'd like to honor our community and the men and women who serve on the line of duty through this dedication.

**\*NEEDED:** Support for dedication - Have elected officials in the area of the facility been asked to comment? (List names and responses.) Please attach support letters.

Dedication Steps:

1. Complete application and submit to the State Highway Administration.
2. Maryland Department of Transportation (MDOT) will review initial request.
3. MDOT will present request to Maryland Transportation Commission.
4. Maryland Transportation Commission will approve/decline dedication.
5. If approved, the memorial sign will be installed on east/west bound sides near bridge. MDOT will cover the cost as long as we get the standard brown signs with white letters.

**N. SET AGENDA FOR NEXT MEETING: NOVEMBER 6, 2017 @ 7:30 P.M.**

- 1.
- 2.
- 3.
- 4.